

EXHIBIT A

In The Matter Of:
Hodell-Natco Industries, Inc. v.
SAP America, Inc., et al.

Otto Reidl
Vol. 2
February 8, 2012

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1 MR. STAR: This is Exhibit 17, please.

2 (Whereupon, Exhibit 17 was marked for
3 identification.)

4 BY MR. STAR:

5 Q. We marked here as Exhibit 17 is a
6 document that's labeled Hodell 729. Is this
7 your handwritten notes from February 6, 2004,
8 sir?

9 A. It is.

10 Q. Okay. Indicates telephone call
11 with Penny. That would be Penny Vitantonio,
12 correct?

13 A. Correct.

14 Q. From American Express, yes?

15 A. Correct.

16 Q. Okay. You indicate here 582,000
17 ballpark. Yesterday you gave some testimony
18 about the -- your recollection as to the price
19 that had been quoted by American Express for
20 its Business One package. Is this -- is this
21 what you were referring to as the price that
22 was quoted to you?

23 A. This is that communication.

24 Q. Okay. You write here, I told
25 Penny that this is basically the end of our

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1 interest. She asked where we have to be, and
2 I responded, at most, half. You see that?

3 A. Correct.

4 Q. You go on to say, I told her it
5 was nice knowing her, but we can't afford this
6 package and will have to shop alternative
7 software. Do you see that?

8 A. Yes.

9 Q. Okay. So this -- you'd agree at
10 this point in time, that was the end of your
11 dealings with American Express concerning SAP
12 Business One software, correct?

13 A. As of the -- that particular
14 date.

15 Q. Okay. Were there any further
16 dealings between Hodell and American Express
17 concerning the Business One software after
18 February 6th, 2004?

19 A. As far as I recollect.

20 Q. As far as you recollect, no, no
21 further dealings?

22 A. As far as I recollect, at that
23 point, we were no longer going with the
24 American Express SAP Business One package.

25 Q. At any time after February 6,

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1 correct? That has been your testimony.

2 A. I'm sorry?

3 Q. That has been your testimony,
4 that the statement was made by
5 Mr. Van Leeuwen.

6 A. And American Express, as I
7 recall, did not challenge that.

8 Q. Okay. And American Express at
9 the time was marketing to you the American
10 Express edition of SAP Business One, and you
11 ultimately decided not to go with that
12 program, correct?

13 A. Correct.

14 Q. Okay. So American Express, you
15 would agree, did not make any representations
16 to Hodell about the ultimate software solution
17 that Hodell had decided to move forward with;
18 is that correct?

19 MR. LAMBERT: Objection.

20 THE WITNESS: I can't say with
21 certainty.

22 BY MR. STAR:

23 Q. Well, you agree that American
24 Express did not make any representations
25 concerning -- well, strike that.

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1 You agree that the ultimate software
2 solution that Hodell decided to move forward
3 with was the SAP Business One platform, with
4 the In-Flight add-on and Radio Beacon -- Radio
5 Beacon integration, correct?

6 A. I don't know that -- that it was
7 already decided at that moment, but we started
8 working with IBiS to develop a plan.

9 Q. Well, I think my question was,
10 that the ultimate software you ultimately
11 agreed to move forward with, right, was the
12 SAP Business One platform with the In-Flight
13 add-on and the Radio Beacon integration,
14 correct?

15 A. That is correct.

16 Q. And that was not the software
17 package that Ms. Vitantonio or American
18 Express were marketing to Hodell, correct?

19 A. I believe that is correct.

20 MR. STAR: Okay. Mark this as 18,
21 please.

22 (Whereupon, Exhibit 18 was marked for
23 identification.)

24 BY MR. STAR:

25 Q. Sir, what we have marked here as